

**From:** Leonard Heyman  
**To:** Microsoft ATR  
**Date:** 12/7/01 10:11am  
**Subject:** Settlement

Dear DOJ:

Crimes should be punished. The punishment should fit the crime. Microsoft has been found guilty of committing a very serious crime. The settlement agreement contradicts this very simple concept upon which our criminal justice system is based. Microsoft continues to thumb its nose at the Sherman Act, and rightly so, for it clearly has nothing to fear from the DOJ.

The message sent by the proposed settlement agreement is, no man may be above the law, but corporations are. There is a reason the Sherman Act exists, and it is very important to the stability and continued growth of our economy. Throughout history, it has always been controversial as it always goes against many vested interests in power. However, each time it is employed, it has opened up a whole new industry to competition and has resulted in better products at reduced prices for consumers.

Monopolies are not illegal. Leveraging monopolistic power is. It is obvious to anyone who pays attention to the high tech sector that Microsoft wilfully violated the Sherman Act, has done so on a regular basis, and continues, even today, to do so. If Microsoft isn't stopped, we will be asking ourselves in 10 years where was the DOJ when we needed them to stop the rampaging giant that Microsoft is from squashing innovative and important contributions in the high tech sector? Microsoft is currently leveraging its operating system to dominate everything from Internet shopping and site development to palm top PDAs, to console game systems and desktop applications. Make no mistake: Microsoft is not an innovator in these areas. They don't have to innovate. All they have to do is tie their ventures to their desktop software which is given freely to unsuspecting computer users or twist the arms of computer manufacturers and software developers dependent on Microsoft for the software Microsoft controls.

In a case cut and dry as this one (Microsoft already having been found guilty at great tax-payer expense) it should be more surprising to the American people that political pressure has trumped common sense so completely. The sad truth is that the American people know their government has ceased to represent their interests and no longer looks out for them. The great silence you hear is not contentment, but dispare. Continue down this path, and you will be contributing to the ultimate result: a popular revolt against a government dominated by corporate interests.

--Leonard Heyman  
Simsbury, CT

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